

ORIGINAL

(27)  
10/26/01  
vhUNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIAJASON TRAVIS STEVENS,  
Plaintiff

v.

KATHLEEN M. HAWK-SAWYER, et al.,  
Defendants:  
:  
:  
:  
:  
:

Civil No. 1:CV-01-0907

(Judge Kane) **FILED**  
HARRISBURG, PA

OCT 25 2001

MARY E. D'ANDREA, CLERK  
Per (4)  
Deputy ClerkBRIEF IN SUPPORT OF DEFENDANTS' MOTION FOR LEAVE  
TO FILE A BRIEF IN EXCESS OF FIFTEEN PAGES

Defendants request the Court to permit them to exceed the fifteen-page limit as provided in M.D. Pa. Local Rule 7.8 in filing their brief in support of defendants' motion to dismiss. The reasons for this motion are as follows:

1. On May 23, 2001, Stevens filed a Bivens<sup>1</sup> complaint against the Director and the Regional Director of the Federal Bureau of Prisons and six Bureau of Prisons employees at the Allenwood United States Penitentiary at White Deer, Pennsylvania, claiming deliberate indifference with regard to Stevens' safety and inhumane conditions of confinement.

2. On October 15, 2001, Defendants filed a motion to dismiss Stevens' Complaint.

3. It is Defendants' belief that the allegations fail to state a claim and that the undisputed facts establish that defendants are entitled to dismissal.

<sup>1</sup> Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971).

4. Because of the number of defendants named in Stevens' complaint, various legal claims and defenses and the need to address all of the underlying facts relevant to each of the claims, it may not be possible to address each of Stevens' allegations and Defendants' defenses to them in a fifteen-page brief.

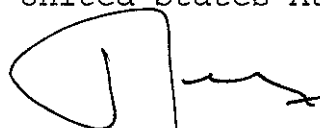
5. Defendants submit that their brief in support of their motion to dismiss will be no longer than twenty pages in length, and likely less.

6. Stevens will not be prejudiced in granting this motion; indeed, granting this motion should assist Stevens in understanding all of Defendants' defenses.

WHEREFORE, Defendants request this Court to grant their request for leave to file their brief in support of defendants' motion to dismiss in excess of the fifteen-page limit.

Respectfully submitted,

MARTIN C. CARLSON  
United States Attorney

A handwritten signature in black ink, appearing to read 'J. Terz', with a large, stylized initial 'J'.

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Dated: October 25, 2001

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

JASON TRAVIS STEVENS, :  
Plaintiff : Civil No. 1:CV-01-0907  
v. : (Judge Kane)  
KATHLEEN M. HAWK-SAWYER, et al., :  
Defendants :

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 25<sup>th</sup> day of October, 2001, she served a copy of the attached

BRIEF IN SUPPORT OF DEFENDANTS' MOTION FOR LEAVE TO FILE  
A BRIEF IN EXCESS OF FIFTEEN PAGES

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE:

Jason Travis Stevens  
Reg. No. 10182-036  
USP Allenwood  
P.O. Box 3000  
White Deer, PA 17887

  
ANITA L. LIGHTNER  
Paralegal Specialist